

PRESS RELEASE

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CONYERS SAYS: "TORT REFORM MOVEMENT HAS A MASSIVELY DISPROPORTIONATE IMPACT ON MINORITIES"

Congressman John Conyers, Jr. issued the following statement at a press conference today on the release of a new study by the Center for Justice & Democracy that exposes how the political and legislative agenda of the "tort reform" movement is racially-discriminatory, and how "tort reform" proposals will have a disparate impact on racial and ethnic minorities:

"The dirty little secret of the so-called tort reform movement is that it is premised on racist notions, and would have a massively disproportionate impact on African Americans, Hispanics and other minorities.

These bills are all about preventing minorities from bringing lawsuits in the first place, shifting the few suits which can be brought into the federal courts controlled by right wing Republicans, and capping any damages minorities can receive.

A case in point is the horrendous class action bill passed by the House and pending in the Senate. The principal motivating purpose of the legislation is to take cases away from state jury pools that are composed largely of minorities and force them into federal court. In advocating the legislation, the right wing American Tort Reform Association identified thirteen counties that it describes as legal "hellholes." Not surprisingly, almost all of the jurisdictions have populations in which people of color constitute majorities or near-majorities.

To add insult to injury, the class action bill goes so far as to make it next to impossible to bring a civil rights class action premised on discrimination. It does this by prohibiting a lead class representative from receiving a remedy, such as regaining a job lost because of discrimination, that other class members did not receive. Should any of us be surprised to learn that if you can't get your job back, it may not be worthwhile to take the time and trouble to serve as a class representative?

The restrictions on non-economic damages included in the Republican medical malpractice and product liability bills will also have a severe and disproportionate impact on minorities. If you are a CEO making millions of dollars per year, you will have little problem recovering economic damages based on job loss. But if you are an unemployed African American, and you lose your arm, the only opportunity you have for compensation is by obtaining damages for your pain and suffering. Plain and simple, capping those non-economic damages has an unfair and disproportionate impact on minorities.

The true racist nature of these tort reforms was revealed during the debate on the Republican gun liability legislation. During consideration of that bill, Rep. Barbara Cubin ®-WY) spoke against several Democratic amendments, including one that would have prevented gun sales near drug treatment facilities. She stated, "My sons are 25 and 30; they are blond haired and blue-eyed. One amendment today said we can't sell guns to anybody under drug treatment. So does that mean if you go into a black community you cannot sell a gun to any black person?" That is the mind set behind these bills."